

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: The arguments presented in the Pre-Appeal Brief filed 10/07/2009 are persuasive. In particular, the argument that the prior art of Ji does not teach the limitation of independent claims 1, 35, and 37 that recite, for example (only most relevant portions shown):

"updat[ing]" and "maintain[ing]" "the model ... prior to receiving the computer data" "based on pre-existing information on the second computer"

Independent claims 5, 36, and 38 recite, for example:

"[a] model ... maintained and updated prior to receiving the computer data, based on pre-existing information on the second computer"

Independent claim 39 recites, for example:

maintaining the model of the destination computer prior to receiving data destined for the destination computer, based on the status update communication; analyzing data destined for the destination computer to determine whether the data includes a virus

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devin Almeida whose telephone number is 571-270-1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to.

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5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571-272-3799.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

/Devin Almeida/
Patent Examiner, AU 2432

/Gilberto Barron Jr./
Supervisory Patent Examiner, Art Unit 2432